



Linda S. Adams  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Central Coast Region

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Arnold Schwarzenegger  
Governor

July 21, 2008

Mr. James L. Bartlett, Jr.  
Bardex Corporation  
6338 Lindmar Drive  
Goleta, CA 93117

**CERTIFIED MAIL 7007 0710 0001 1013 4321**  
**RETURN RECEIPT REQUESTED**

Dear Mr. Bartlett:

**NOTICE OF HEARING AND ISSUANCE OF ADMINISTRATIVE CIVIL LIABILITY COMPLAINT FOR FAILURE TO COMPLY WITH CLEANUP AND ABATEMENT ORDER NO. R3-2004-0063, WATER CODE SECTION 13267 ORDER DATED OCTOBER 31, 2007, AND CLEANUP AND ABATEMENT ORDER NO. R3-2007-0087; BARDEX CORPORATION, GOLETA, SANTA BARBARA COUNTY, WIDID# 3 42 0001 N94**

In response to the Bardex Corporation's (Bardex) failure to submit technical and monitoring reports by the due dates required in Cleanup and Abatement (CAO) Order No. R3-2004-0063, the October 31, 2007 Water Code Section 13267 Order, and CAO No. R3-2007-0087, the Assistant Executive Officer of the Central Coast Regional Water Quality Control Board (Central Coast Water Board) hereby issues the enclosed Administrative Civil Liability Complaint No. R3-2008-0037 (Complaint). On March 20, 2008, Central Coast Water Board staff received the late reports.

Pursuant to California Water Code section 13323, the Central Coast Water Board will hold a hearing on the Complaint no later than 90 days after it is served. If Bardex elects to waive its right to a public hearing and agrees to pay the proposed liability, then an authorized agent of Bardex must sign the attached waiver form, and return it to the Central Coast Water Board **no later than August 25, 2008.**

Alternatively, if you elect to proceed to hearing, it will occur on October 16-17, 2008, in Santa Barbara. At that time, the Central Coast Water Board will accept testimony and public comment and decide whether to affirm, reject, or modify the proposed liability, or whether to refer the matter for judicial civil action.

Enclosed you will find a draft of the procedures I am recommending that the Central Coast Water Board follow in conducting the hearing. Please note that comments on these proposed procedures are **due by August 4, 2008**, to the Central Coast Water Board's advisory attorney, Frances McChesney (mailing address shown below).

***California Environmental Protection Agency***



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If you have questions, please contact State Water Resources Control Board Office of Enforcement attorney, Cris Carrigan, at (916) 322-3626, Todd Stanley at (805) 542-4769, or Harvey Packard at (805) 542-4639.

Sincerely,



Michael J. Thomas  
Assistant Executive Officer

Enclosures: 1. Complaint No. R3-2008-0037  
2. Waiver of Hearing Form  
3. Proposed Hearing Procedures

**cc via electronic mail:**

Frances McChesney  
Senior Staff Counsel  
State Water Resources Control Board  
Office of Chief Counsel  
1001 I Street, 22<sup>nd</sup> Floor  
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Senior Staff Counsel  
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**cc via mail:**

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